

REMARKS

Entry of this Preliminary Amendment is respectfully requested. This application relates to a polymorphic form of 5-chloro-3-(4-methanesulfonylphenyl)-6'-methyl-[2,3']bipyridinyl.

This Preliminary Amendment cancels Claims 1-9 and adds new Claims 10-14. Claims in the application are now Claims 10-14.

This Preliminary Amendment is accompanied by an Information Disclosure Statement. Any additional fees required in connection with this Amendment may be taken from Merck Deposit Account No. 13-2755. The Examiner is invited to contact the undersigned attorney at the telephone number provided below if such would advance the prosecution of the case.

Respectfully submitted,

By 
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